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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,836	07/28/2003	Steven Brooks	16292-002001	5813
26181	7590	08/25/2004	EXAMINER DUVERNE, JEAN F	
FISH & RICHARDSON P.C. 3300 DAIN RAUSCHER PLAZA MINNEAPOLIS, MN 55402			ART UNIT 2839	
PAPER NUMBER				

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/628,836

Applicant(s)

BROOKS, STEVEN

Examiner

Jean F. Duverne

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/26/2204.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
- 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
- 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/28/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guhl (US patent US006059385A) in view of Chang et al (US patent US006667888B1).

In regard to claims 1-16, Guhl device discloses a desk (4) adapted for connection to a second desk (5) as part of a network of desks, the desk comprising: a desktop comprising a plurality of sides, a bottom-face, and a top face (see figs 1-7); a power supply (12), a chassis (6) positioned substantially beneath the desktop comprising one or more disk drives, wherein at least one drive includes one or more electronic components; a power supply (12), a power distribution system at 72, 84 providing power to at least one drive, the power distribution system at 72, 84 being positioned substantially beneath the desktop, extending approximately from a first side of the desktop to a second side of the desktop, and configured to provide power to at least one adjacent desk or bridge unit; and an electronic connection system providing an electronic connection at 27, 61, 70, from the one or more electronic components to an electronic component located in a second desk, the electronic connection system being

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positioned substantially beneath the desktop and extending approximately from a first side of the desktop to a second side of the desktop (see figs. 6-7); wherein the power distribution system at 72 is positioned within the chassis; wherein the power distribution system is positioned adjacent to the chassis; wherein the electronic connection system is positioned within the chassis (see fig. 5); wherein the electronic connection system is positioned adjacent to the chassis; wherein at least one drive includes a face including one or more ports and the disk is positioned such that the one or more ports are accessible to a user of the desk; wherein at least one disk is removably mounted within the chassis; wherein at least one disk is slidably mounted within the chassis; further comprising: one or more locking devices, such that the one or more disks can be locked to prevent access to one or more electronic components included in the one or more cassettes; further comprising: a desk connector configured to connect the desk to a second desk or bridge unit (see fig. 5); wherein the desk connector is further configured to support a side of the second desk or bridge unit; wherein the desk connector includes a recess in an edge of the desktop configured to mate with a projection from an edge of a second desk or bridge unit; wherein the desk connector further includes a projection from a second edge of the desktop configured to mate with a recess in an edge of a second desk or bridge unit; the chassis further comprises one or more conduits for housing cables, and the power distribution system and the electronic connection system include one or more cables (see fig. 5) located substantially within the chassis; wherein the power distribution system and electronic connection system include one or more

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cables, the desk further comprising: a cable connector positioned substantially beneath the desktop and approximately adjacent a first edge of the desktop and configured such that the one or more cables can connect to a second cable connector of an adjacent second desk of bridge unit; wherein the chassis further comprises a frame positioned adjacent to the bottom-face of the desk. However, Guhl's device fails to disclose the use of the cassette in the desktop system, which is well known in the art. Chang's device discloses the cassette in the desktop system (see col. 1). It would have been obvious to one having ordinary skill in the art at the time invention was made to replace the disk component with the cassette component such as the one discloses in Chang's device in order to meet the system design and requirement in Guhl's device.

In regard to claims 17-25, 27, Guhl's and Chang's devices disclose the aforementioned limitations the desktop with recesses and projections, the chassis with the opening (see figs. 4-5).

In regard to claim 26, Guhl's and Chang's devices disclose the aforementioned limitations, but fails to disclose the opening with the flexible cushioner material. It would have obvious to one having ordinary skill in the art at the time the invention was made to have the opening with the flexible cushioner material, since it has been held to within the general skill of a worker in the art to select known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416. It would have been obvious to one having ordinary skill in the art at the time invention was

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made to have the opening with the flexible cushioner material in order to meet the system design and requirement in Guhl's device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean F. Duverne whose telephone number is (571) 272-2091. The examiner can normally be reached on 9:00-7:30, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JFD

08/18/2004



Jean Frantz Duverne
Primary Examiner
Art Unit 2839